



1  
2  
3  
4  
5  
6 UNITED STATES DISTRICT COURT  
7 DISTRICT OF NEVADA

8 UNITED STATES OF AMERICA, )

9 Plaintiff, )

10 v. )

2:13-CR-152-KJD-(VCF)

11 JOSE ANGEL DIAZ-VALDEZ, )

12 Defendant. )

13 PRELIMINARY ORDER OF FORFEITURE

14 This Court finds that on October 22, 2013, defendant JOSE ANGEL DIAZ-VALDEZ pled  
15 guilty to Count One of a One-Count Indictment charging him in Count One with Felon in Possession  
16 of a Firearm in violation of Title 18, United States Code, Section 922(g)(1). Indictment, ECF No. 1;  
17 Change of Plea Minutes, ECF No. 26; Plea Agreement, ECF No. 27.

18 This Court finds defendant JOSE ANGEL DIAZ-VALDEZ agreed to the forfeiture of the  
19 property set forth in the Plea Agreement and the Forfeiture Allegation of the Indictment. Indictment,  
20 ECF No. 1; Change of Plea Minutes, ECF No. 26; Plea Agreement, ECF No. 27.

21 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America  
22 has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture  
23 Allegation of the Indictment and the offense to which defendant JOSE ANGEL DIAZ-VALDEZ pled  
24 guilty.

25 The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section  
26 924(d)(1) and Title 28, United States Code, Section 2461(c):

- 1           1. a Mossberg 590 12-gauge shotgun, with a 21 inch barrel and serial number
- 2           P019307; and
- 3           2. any and all ammunition ("property").

4           This Court finds the United States of America is now entitled to, and should, reduce the  
5   aforementioned property to the possession of the United States of America.

6           NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the  
7   United States of America should seize the aforementioned property.

8           IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of  
9   JOSE ANGEL DIAZ-VALDEZ in the aforementioned property is forfeited and is vested in the United  
10   States of America and shall be safely held by the United States of America until further order of the  
11   Court.

12          IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America  
13   shall publish for at least thirty (30) consecutive days on the official internet government forfeiture  
14   website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, which shall describe the forfeited property, state the  
15   time under the applicable statute when a petition contesting the forfeiture must be filed, and state the  
16   name and contact information for the government attorney to be served with the petition, pursuant to  
17   Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

18          IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed  
19   with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

20          IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,  
21   shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the  
22   following address at the time of filing:

23               Michael A. Humphreys  
24               Assistant United States Attorney  
25               Lloyd D. George United States Courthouse  
26               333 Las Vegas Boulevard South, Suite 5000  
                 Las Vegas, Nevada 89101.

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein  
2 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency  
3 following publication of notice of seizure and intent to administratively forfeit the above-described  
4 property.

5 DATED this 22<sup>nd</sup> day of Oct. 2013.

6  
7  
8 

9 UNITED STATES DISTRICT JUDGE  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26